

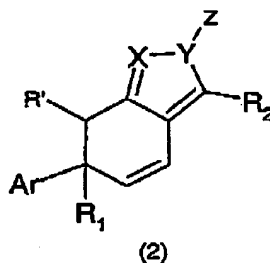
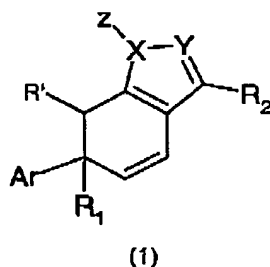
Application Ser. No.: 10/761,982  
 Filing Date: January 21, 2004  
 Examiner: Stockton, Laura

**Amendment Pursuant to 37 C.F.R. § 1.121**

**IN THE CLAIMS:**

The claims set forth below with amendments as indicated will replace all prior versions and listing of claims in the application.

1. (currently amended) A compound of formula (1) or formula (2)



wherein:

X and Y independently are N or CH wherein ~~at least one of X and Y is N;~~

Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, ~~or~~  
~~5- or 6 membered aromatic heterocycle containing one or two hetero atoms selected from the group consisting of O, N and S, and optionally substituted with one or more halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho~~

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

~~carbon of said heterocycle wherein said 4 to 6 membered ring may optionally contain a second hetero atom selected from the group consisting of O, S and N,~~

Z is H, 4-aminophenyl,  $\text{SO}_2\text{R}_3$  or  $\text{COR}_3$  wherein  $\text{R}_3$  is  $(\text{C}_1\text{-C}_4)$ alkyl,  $(\text{C}_3\text{-C}_6)$ cycloalkyl, Ar as defined above,  $(\text{C}_2\text{-C}_6)$ alkenyl or  $(\text{C}_2\text{-C}_6)$ alkynyl;

$\text{R}_1$  is H,  $(\text{C}_1\text{-C}_4)$ alkyl,  $(\text{C}_3\text{-C}_6)$ cycloalkyl or Ar as defined above;

$\text{R}'$  is H or  $(\text{C}_1\text{-C}_4)$ alkyl; and

when Z is H,  $\text{R}_2$  is a selected from the group consisting of:

cyano,

$\text{C(O)-ORa}_1$  wherein  $\text{Ra}_1$  is methyl, ethyl or isopropyl,

$\text{C(O)-NHRa}_2$  wherein  $\text{Ra}_2$  is cyclopropyl,

$\text{C(O)-N(Ra}_2')$ , wherein  $\text{N(Ra}_2')$  is aziridinyl or azetidiny, optionally substituted with  $(\text{C}_1\text{-C}_4)$ alkyl or Ar as defined above,

$\text{C(O)-N(Ra}_3)\text{-ORa}_3$  wherein each  $\text{Ra}_3$  may be identical or different and each  $\text{Ra}_3$  is independently selected from the group consisting of methyl, ethyl or cyclopropyl,

$\text{C(O)Ra}_4$  wherein  $\text{Ra}_4$  is Ar as defined above or  $(\text{C}_3\text{-C}_5)$ cycloalkyl optionally substituted with  $(\text{C}_1\text{-C}_4)$ alkyl or Ar as defined above,

$\text{C(Ra}_4)\text{=N-Rb}$  wherein:

$\text{Ra}_4$  is H, Ar as defined above, or  $(\text{C}_3\text{-C}_5)$ cycloalkyl optionally substituted with  $(\text{C}_1\text{-C}_4)$ alkyl or Ar as defined above, and

$\text{Rb}$  is  $(\text{C}_1\text{-C}_2)$ alkyl,  $(\text{C}_3\text{-C}_5)$ cycloalkyl, hydroxyl,  $(\text{C}_1\text{-C}_4)$ alkoxy,  $(\text{C}_2\text{-C}_4)$ alkenyloxy, or  $(\text{C}_1\text{-C}_4)$ alkylenoxy wherein said  $(\text{C}_1\text{-C}_4)$ alkylenoxy optionally may be substituted with halogen or a group selected from the group consisting of carboxyl,  $(\text{CH}_2)_n\text{Ar}$  wherein n is 0 or 1 and Ar is as defined above,  $(\text{C}_1\text{-C}_4)$ alkoxy,  $\text{NH}_2$ ,  $\text{NH}(\text{C}_1\text{-C}_4)$ alkyl, and  $\text{N}((\text{C}_1\text{-C}_4)\text{alkyl})_2$  wherein said alkyls together with the heteroatom to which they are attached may optionally form a 3 to 6 membered ring which

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

may optionally contain a second hetero atom selected from the group consisting of O, S and N,  
NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,  
NHRa<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above, phenyl, and  
5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms selected from the group consisting of O, N and S; and  
when Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>, R<sub>2</sub> is carboxyl, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> or (C<sub>3</sub>-C<sub>5</sub>)cycloalkylamino; or  
a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures of the stereoisomeric forms thereof in any ratio; or  
a ~~pharmaceutically~~ pharmaceutically acceptable salt of the compound of formula (1) or formula (2).

2. (original) The compound according to claim 1 wherein Ar is phenyl, 4-fluorophenyl or 4-methoxyphenyl.

3. (original) The compound according to claim 2 wherein R<sub>1</sub> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, phenyl or substituted phenyl.

4. (canceled).

5. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein R<sub>2</sub> is C(O)-ORa<sub>1</sub> and wherein Ra<sub>1</sub> is (C<sub>4</sub>-C<sub>6</sub>)alkyl methyl, ethyl or isopropyl.

6. (original) The compound according to claim 5 selected from the group consisting of:

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

ethyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
isopropyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
methyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
ethyl 6-(R,S)-6-methyl-6-phenyl-6,7-dihydro-1H-indazole-3-  
carboxylate,  
ethyl 6-(+)-6-methyl-6-phenyl-6,7-dihydro-1H-indazole-3-  
carboxylate,  
ethyl 6-(R,S)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
ethyl 6-(R)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
ethyl 6-(S)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate,  
ethyl 6,6-bis(4-methoxyphenyl)-6,7-dihydro-1H-indazole-3-  
carboxylate,  
ethyl 6-(R,S)-6-(3,4-dimethoxyphenyl)-6-phenyl-6,7-dihydro-1H-  
indazole-3-carboxylate,  
ethyl 6-(R,S)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-  
3-carboxylate,  
ethyl (-)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-  
carboxylate,  
ethyl (+)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-  
carboxylate,  
ethyl 6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazole-3-  
carboxylate, and  
ethyl 7-methyl-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxylate.

7. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein R<sub>2</sub> is CORa<sub>4</sub> and Ra<sub>4</sub> is Ar or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl.

8. (original) The compound according to claim 7 selected from the group consisting of:

cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone,

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone,  
(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)phenylmethanone,  
(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)-(1H-pyrrol-3-yl)methanone,  
6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone,  
(-)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone,  
(+)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone, and  
cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-yl]methanone.

9. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein  $R_2$  is  $C(O)-NHR_2$ ,  $C(O)-N(R_3)-OR_3$  or  $C(O)-N(R_2')$ .

10. (original) The compound according to claim 9 selected from the group consisting of:

N-(cyclopropyl)-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxamide,  
azetidin-1-yl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone,  
(N-methoxy-N-methyl)-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxamide, and  
aziridin-1-yl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone.

11. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein  $R_2$  is  $C(R_4)=N-R_b$ .

12. (original) The compound according to claim 11 selected from the group consisting of:

Application Ser. No.: 10/761,982

Filing Date: January 21, 2004

Examiner: Stockton, Laura

(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)  
methanone oxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)  
methanone oxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)  
methanone oxime,  
(E,Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone oxime,  
(E)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
oxime,  
(Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
oxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3-  
yl)methanone O-methyloxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3-yl)methanone  
O-methyloxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3-yl)methanone  
O-methyloxime,  
(E,Z)6,6-diphenyl-6,6-dihydro-1H-indazole-3-carbaldehyde O-  
methyloxime,  
(E, Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-allyloxime,  
(E)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-allyloxime,  
(Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-allyloxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-allyloxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-allyloxime,

Application Ser. No.: 10/761,982

Filing Date: January 21, 2004

Examiner: Stockton, Laura

(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-allyloxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-(2-methoxyethyl)oxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(2-methoxyethyl)oxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(2-methoxyethyl)oxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-benzylloxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-benzylloxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-benzylloxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-(4-nitrobenzyl)oxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(4-nitrobenzyl)oxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(4-nitrobenzyl)oxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-(2-dimethylaminoethyl)oxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(2-dimethylaminoethyl)oxime,  
(E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(2-dimethylaminoethyl)oxime,  
(E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-  
yl)methanone O-(2-fluoroethyl)oxime,  
(Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone  
O-(2-fluoroethyl)oxime,

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

(E)cyclopropyl[6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl]methanone  
O-(2-fluoroethyl)oxime,  
(E,Z)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-  
1H-indazol-3-yl]methanone oxime,  
(E)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-  
indazol-3-yl]methanone oxime,  
(Z)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-  
indazol-3-yl]methanone oxime,  
(-)-6-(Z)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-  
indazol-3-yl]methanone oxime,  
(-)-6-(E)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-  
indazol-3-yl]methanone oxime,  
(+)-6-(Z)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-  
indazol-3-yl]methanone oxime,  
(E,Z)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-  
yl]methanone oxime,  
(Z)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-  
yl]methanone oxime, and  
(E)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-  
yl]methanone oxime.

13. (currently amended) The compound according to ~~claim 4~~ claim 3  
wherein R<sub>2</sub> is NH-C(O)Ra<sub>4</sub>.

14. (currently amended) The compound according to claim 13 selected  
from the group consisting of:

N-(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)cyclopropylamide, and  
N-[6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl]benzamide.



Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

15. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein R<sub>2</sub> is ~~Ar~~ phenyl, pyridyl, oxadiazolyl or thiophenyl.

16. (original) The compound according to claim 15 selected from the group consisting of:

3-(3-methyl[1,2,4]oxadiazol-5-yl)-6,6-diphenyl-6,7-dihydro-1H-indazole,

3,6,6-triphenyl-6,7-dihydro-1H-indazole,

6,6-diphenyl-3-pyrid-3-yl-6,7-dihydro-1H-indazole, and

6,6-diphenyl-3-thiophen-3-yl-6,7-dihydro-1H-indazole.

17. (currently amended) The compound according to ~~claim 4~~ claim 3 wherein R<sub>2</sub> is CN.

18. (currently amended) The compound according to ~~claim 14~~ claim 17 wherein the compound is 6,6-diphenyl-6,7-dihydro-1H-indazole-3-carbonitrile.

19. (original) The compound according to claim 1 wherein Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>.

20. (original) The compound according to claim 19 selected from the group consisting of:

6,6-diphenyl-1-(4-toluenesulphonyl)-6,7-dihydro-1H-indazol-3-ylamine and

1-(3-Amino-6,6-diphenyl-6,7-dihydroindazol-1-yl)propanone.

21. (original) The compound according to claim 1 wherein Z is 4-aminophenyl.

Application Ser. No.: 10/761,982

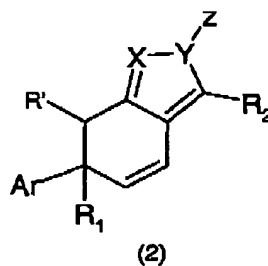
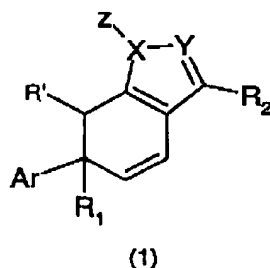
Filing Date: January 21, 2004

Examiner: Stockton, Laura

22. (original) The compound according to claim 21 wherein the compound is ethyl 1-(4-aminophenyl)-6,6-diphenyl-1H-indazole-3-carboxylate.

23. – 26. canceled

27. (currently amended) A method for the treatment of tumors comprising administering to a patient in need of said treatment a therapeutically effective amount of a compound of formula (1) or formula (2)



wherein:

X and Y independently are N or CH wherein at least one of X and Y is N;

Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, or ~~5 or 6 membered aromatic heterocycle containing one or two hetero atoms selected from the group consisting of O, N and S, and optionally substituted with one or more halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring~~

Application Ser. No.: 10/761,982

Filing Date: January 21, 2004

Examiner: Stockton, Laura

~~together with the heteroatom to which it is attached and an ortho carbon of said heterocycle wherein said 4 to 6 membered ring may optionally contain a second hetero atom selected from the group consisting of O, S and N,~~

Z is H, 4-aminophenyl,  $\text{SO}_2\text{R}_3$  or  $\text{COR}_3$  wherein  $\text{R}_3$  is  $(\text{C}_1\text{-C}_4)\text{alkyl}$ ,  $(\text{C}_3\text{-C}_6)\text{cycloalkyl}$ , Ar as defined above,  $(\text{C}_2\text{-C}_6)\text{alkenyl}$  or  $(\text{C}_2\text{-C}_6)\text{alkynyl}$ ;

$\text{R}_1$  is H,  $(\text{C}_1\text{-C}_4)\text{alkyl}$ ,  $(\text{C}_3\text{-C}_6)\text{cycloalkyl}$  or Ar as defined above;

$\text{R}'$  is H or  $(\text{C}_1\text{-C}_4)\text{alkyl}$ ; and

when Z is H,  $\text{R}_2$  is a selected from the group consisting of:

cyano,

$\text{C}(\text{O})\text{-ORa}_1$  wherein  $\text{Ra}_1$  is methyl, ethyl or isopropyl,

$\text{C}(\text{O})\text{-NHRa}_2$  wherein  $\text{Ra}_2$  is cyclopropyl,

$\text{C}(\text{O})\text{-N(Ra}_2')$ , wherein  $\text{N(Ra}_2')$  is aziridiny or azetidiny, optionally substituted with  $(\text{C}_1\text{-C}_4)\text{alkyl}$  or Ar as defined above,

$\text{C}(\text{O})\text{-N(Ra}_3)\text{-ORa}_3$  wherein each  $\text{Ra}_3$  may be identical or different and each  $\text{Ra}_3$  is independently selected from the group consisting of methyl, ethyl or cyclopropyl,

$\text{C}(\text{O})\text{Ra}_4$  wherein  $\text{Ra}_4$  is Ar as defined above or  $(\text{C}_3\text{-C}_5)\text{cycloalkyl}$  optionally substituted with  $(\text{C}_1\text{-C}_4)\text{alkyl}$  or Ar as defined above,

$\text{C(Ra}_4)\text{=N-Rb}$  wherein:

$\text{Ra}_4$  is H, Ar as defined above, or  $(\text{C}_3\text{-C}_5)\text{cycloalkyl}$  optionally substituted with  $(\text{C}_1\text{-C}_4)\text{alkyl}$  or Ar as defined above, and

$\text{Rb}$  is  $(\text{C}_1\text{-C}_2)\text{alkyl}$ ,  $(\text{C}_3\text{-C}_5)\text{cycloalkyl}$ , hydroxyl,  $(\text{C}_1\text{-C}_4)\text{alkoxy}$ ,  $(\text{C}_2\text{-C}_4)\text{alkenyloxy}$ , or  $(\text{C}_1\text{-C}_4)\text{alkylenoxy}$  wherein said  $(\text{C}_1\text{-C}_4)\text{alkylenoxy}$  optionally may be substituted with halogen or a group selected from the group consisting of carboxyl,  $(\text{CH}_2)_n\text{Ar}$  wherein  $n$  is 0 or 1 and Ar is as defined above,  $(\text{C}_1\text{-C}_4)\text{alkoxy}$ ,  $\text{NH}_2$ ,  $\text{NH}(\text{C}_1\text{-C}_4)\text{alkyl}$ , and  $\text{N}((\text{C}_1\text{-C}_4)\text{alkyl})_2$  wherein said alkyls together with the heteroatom to which they are attached may optionally form a 3 to 6 membered ring which

Application Ser. No.: 10/761,982

Filing Date: January 21, 2004

Examiner: Stockton, Laura

may optionally contain a second hetero atom selected from the group consisting of O, S and N,

NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

NHRA<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above, phenyl, and

5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms selected from the group consisting of O, N and S; and

when Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>, R<sub>2</sub> is carboxyl, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> or (C<sub>3</sub>-C<sub>5</sub>)cycloalkylamino; or

a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures of the stereoisomeric forms thereof in any ratio; or

a ~~pharmaceutically~~ pharmaceutically acceptable salt of the compound of formula (1) or formula (2).

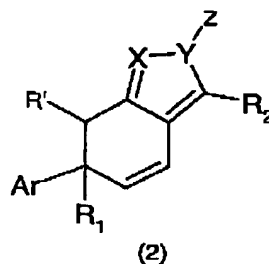
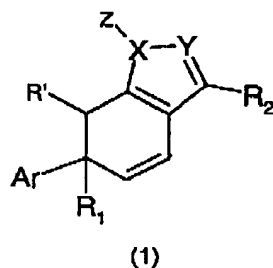
28. (original) The method of claim 27 wherein the therapeutically effective amount comprises an amount sufficient to inhibit microtubule polymerization.

29. (original) The method of claim 27 wherein the therapeutically effective amount comprises a therapeutically effective endothelial cell detaching amount.

30. (original) The method of claim 27 wherein the therapeutically effective amount comprises an amount sufficient to inhibit vascularization of said tumors.

Application Ser. No.: 10/761,982  
 Filing Date: January 21, 2004  
 Examiner: Stockton, Laura

31. (currently amended) A method for the treatment of cancerous cells comprising administering to a patient in need of said treatment a therapeutically effective amount of a compound of formula (1) or formula (2)



wherein:

X and Y independently are N or CH wherein ~~at least one of X and Y is N;~~

Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, or ~~5 or 6 membered aromatic heterocycle containing one or two hetero atoms selected from the group consisting of O, N and S, and optionally substituted with one or more halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of said heterocycle wherein said 4 to 6 membered ring may optionally contain a second hetero atom selected from the group consisting of O, S and N,~~

Z is H, 4-aminophenyl, SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub> wherein R<sub>3</sub> is (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl, Ar as defined above, (C<sub>2</sub>-C<sub>6</sub>)alkenyl or (C<sub>2</sub>-C<sub>6</sub>)alkynyl;

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

R<sub>1</sub> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl or Ar as defined above;

R' is H or (C<sub>1</sub>-C<sub>4</sub>)alkyl; and

when Z is H, R<sub>2</sub> is a selected from the group consisting of:

cyano,

C(O)-ORa<sub>1</sub> wherein Ra<sub>1</sub> is methyl, ethyl or isopropyl,

C(O)-NHRa<sub>2</sub> wherein Ra<sub>2</sub> is cyclopropyl,

C(O)-N(Ra<sub>2</sub>'), wherein N(Ra<sub>2</sub>') is aziridinyl or azetidiny, optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

C(O)-N(Ra<sub>3</sub>)-ORa<sub>3</sub> wherein each Ra<sub>3</sub> may be identical or different and each Ra<sub>3</sub> is independently selected from the group consisting of methyl, ethyl or cyclopropyl,

C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is Ar as defined above or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

C(Ra<sub>4</sub>)=N-Rb wherein:

Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above, and

Rb is (C<sub>1</sub>-C<sub>2</sub>)alkyl, (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl, hydroxyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, (C<sub>2</sub>-C<sub>4</sub>)alkenyloxy, or (C<sub>1</sub>-C<sub>4</sub>)alkylenoxy wherein said (C<sub>1</sub>-C<sub>4</sub>)alkylenoxy optionally may be substituted with halogen or a group selected from the group consisting of carboxyl, (CH<sub>2</sub>)<sub>n</sub>Ar wherein n is 0 or 1 and Ar is as defined above, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyls together with the heteroatom to which they are attached may optionally form a 3 to 6 membered ring which may optionally contain a second hetero atom selected from the group consisting of O, S and N,

NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

NHRa<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

phenyl, and

5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms  
selected from the group consisting of O, N and S; and

when Z is  $\text{SO}_2\text{R}_3$  or  $\text{COR}_3$ ,  $\text{R}_2$  is carboxyl,  $\text{NH}_2$ ,  $\text{NH}(\text{C}_1\text{-C}_4)\text{alkyl}$ ,  $\text{N}((\text{C}_1\text{-C}_4)\text{alkyl})_2$   
or  $(\text{C}_3\text{-C}_5)\text{cycloalkylamino}$ ; or

a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures  
of the stereoisomeric forms thereof in any ratio; or

a pharmaceutically pharmaceutically acceptable salt of the compound of formula  
(1) or formula (2).

32. (original) The method of claim 31 wherein the therapeutically  
effective amount comprises an amount sufficient to inhibit microtubule  
polymerization.

33. (original) The method of claim 31 wherein the therapeutically  
effective amount comprises a therapeutically effective endothelial cell detaching  
amount.

34. (original) The method of claim 31 wherein the therapeutically  
effective amount comprises an amount sufficient to inhibit vascularization of said  
cancerous cells.

35. (original) A pharmaceutical composition comprising one or more  
compounds of formula (1) or formula (2) according to claim 1 and one or more  
pharmaceutically acceptable carriers, diluents, adjuvants or excipients.